

CHAPTER 42 DENTISTRY

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4200 GENERAL PROVISIONS

- 4200.1 This chapter shall apply to applicants for and holders of a license to practice dentistry.
- 4200.2 Chapters 40 (Health Occupations: General Rules), 41 (Health Occupations: Administrative Procedures), and 43 (Dental Hygiene) of this title shall supplement this chapter.

AUTHORITY: Unless otherwise noted, the authority for this chapter is §302(14) of the District of Columbia Health Occupations Revision Act of 1985, D.C. Law 6-99, D.C. Code §2-3303.2(14) (1988 Repl. Vol.), 33 DCR 729, 732 (February 7, 1986), and Mayor's Order 86-110, 33 DCR 5220 (August 22, 1986).

SOURCE: Final Rulemaking published at 35 DCR 927 (February 12, 1988).

4201 TERM OF LICENSE

- 4201.1 Subject to §4201.2, a license issued pursuant to this chapter shall expire at 12:00 midnight of December 31 of each odd-numbered year.
- 4201.2 If the Director changes the renewal system pursuant to §4006.3 of chapter 40 of this title, a license issued pursuant to this chapter shall expire at 12:00 midnight of the last day of the month of the birthdate of the holder of the license, or other date established by the Director.

SOURCE: Final Rulemaking published at 35 DCR 927 (February 12, 1988).

4202 EDUCATIONAL REQUIREMENTS

4202.1 Except as otherwise provided in this subtitle, an applicant shall furnish proof satisfactory to the Board that the applicant has successfully completed an educational program in the practice of dentistry at an institution recognized by the Commission on Dental Accreditation of the American Dental Association (ADA) at the time the applicant graduated in accordance with §504(d) of the Act, D.C. Code §2-3305.4(d) (1987 Supp.).

4202.2 An applicant shall submit an official certificate of graduation in a sealed envelope from the educational institution to the Board with the completed application.

SOURCE: Final Rulemaking published at 35 DCR 927, 928 (February 12, 1988); as amended by Final Rulemaking published at 37 DCR 2747, 2748 (May 4, 1990).

4203 APPLICANTS EDUCATED IN FOREIGN COUNTRIES

4203.1 The Board may grant a license to practice dentistry to an applicant who completed an educational program in a foreign country, which program is not recognized by the ADA, if the applicant meets the following requirements:

- (a) Meets all requirements of this chapter except for §4202.1; and
- (b) Determines to the satisfaction of the Board that the applicant's education and training are substantially equivalent to the requirements of this subtitle and the Act in ensuring that the applicant is qualified to practice dentistry by submitting the documentation required by §4203.2.

4203.2 An applicant under this section, in lieu of meeting the requirements of §4202.1, shall do the following:

- (a) Submit to the Board an official transcript and a copy of the degree or diploma indicating that the applicant has completed a professional program in the field of dentistry and has been granted the degree of Doctor of Dental Surgery, Doctor of Dental Medicine, or other equivalent degree by any university or college authorized to grant the degree located in the foreign country;
- (b) Submit proof to the Board that the applicant has successfully completed Part I and Part II of the examinations of the Joint Commission on National Dental Examinations;
- (c) Submit proof that the applicant has successfully completed two (2) years of formal clinical training at the undergraduate or graduate level in a dental school recognized by the Commission on Dental Accreditation of the ADA; and
- (d) Satisfactorily complete the District of Columbia written and clinical examination.

4203.3 The Board may interview an applicant under this section to determine whether the applicant's education or training meets the requirements of the Act and this chapter.

4203.4 If a document required by this chapter is in a language other than English, an applicant shall arrange for its translation into English by a translation service acceptable

to the Board and shall submit a translation signed by the translator attesting to its accuracy.

SOURCE: Final Rulemaking published at 35 DCR 927, 928 (February 12, 1988); as amended by Final Rulemaking published at 37 DCR 2747, 2748 (May 4, 1990).

4204 NATIONAL EXAMINATION

4204.1 To qualify for a license by examination, an applicant shall receive a passing score on the following:

- (a) Part I and Part II of the examination of the Joint Commission on National Dental Examinations; and
- (b) The Northeast Regional Board (NERB) examination or the District of Columbia written and clinical examination.

4204.2 An applicant shall submit the applicant's examination results, which have been certified or validated by the NERB and the Joint Commission on National Dental Examinations, to the Board with the completed application.

4204.3 The passing scores on the examination shall be those established by the Joint Commission on National Dental Examinations and NERB on each test that forms a part of the examination.

4204.4 An applicant who has successfully completed the NERB examination ten (10) or more years prior to the date of receipt by the Board of the application for licensure shall be required to retake the NERB examination.

SOURCE: Final Rulemaking published at 35 DCR 927, 929 (February 12, 1988); as amended by Final Rulemaking published at 37 DCR 2747, 2748 (May 4, 1990).

4205 DISTRICT EXAMINATION

4205.1 To qualify for a license under this chapter, all applicants without exception shall receive a passing score on a written examination developed by the Board on laws and rules pertaining to the practice of dentistry (the District examination).

4205.2 The Board shall administer the District examination at least four (4) times per year.

4205.3 The District examination may consist of questions on general District laws pertaining to dentistry and dental hygiene including the Act, this chapter, and chapters 40, 41, and 43 of this title.

SOURCE: Final Rulemaking published at 35 DCR 927, 929 (February 12, 1988).

4206 CONTINUING EDUCATION REQUIREMENTS

4206.1 Subject to §4206.2, this section shall apply to applicants for the renewal, reactivation, or reinstatement of a license for a term expiring December 31, 1991, and for subsequent terms.

- 4206.2 This section shall not apply to applicants for an initial license by examination, reciprocity, or endorsement, nor does it apply to applicants for the first renewal of a license granted by examination.
- 4206.3 A continuing education credit shall be valid only if it is part of a program or activity approved by the Board in accordance with §4207.
- 4206.4 An applicant for renewal of a license shall submit proof pursuant to §4206.7 of having completed twenty-five (25) hours of credit in approved continuing education programs during the two-year (2) period preceding the date the license expires.
- 4206.5 To qualify for a license, a person in inactive status within the meaning of §511 of the Act, D.C. Code §2-3305.11 (1987 Supp.) who submits an application to reactivate a license shall submit proof pursuant to §4206.6 of having completed twelve (12) hours of approved continuing education credit for each license year after December 31, 1989, that the applicant was in inactive status, up to a maximum of sixty (60) hours. The continuing education hours submitted shall have been completed within the five (5) years preceding the date of the application to resume practice.
- 4206.6 To qualify for a license, an applicant for reinstatement of a license shall submit proof pursuant to §4206.7 of having completed twelve (12) hours of approved continuing education credits for each year after December 31, 1989, that the applicant was not licensed, up to a maximum of sixty (60) hours. The continuing education hours submitted shall have been completed within the five (5) years preceding the date of the application to resume practice.
- 4206.7 An applicant under this section shall prove completion of required continuing education credits by submitting with the application the following information with respect to each program:
- (a) The name and address of the sponsor of the program;
 - (b) The name of the program, its location, a description of the subject matter covered, and the names of the instructors;
 - (c) The dates on which the applicant attended the program;
 - (d) The hours of credit claimed; and
 - (e) Verification by the sponsor of completion, by signature or stamp.
- 4206.8 An applicant for renewal of a license who fails to submit proof of having completed continuing education requirements by the date the license expires may renew the license up to sixty (60) days after expiration by submitting this proof pursuant to §4206.7 and by paying the required additional late fee.
- 4206.9 Upon submitting proof of having completed continuing education requirements and paying the late fee, the applicant shall be deemed to have possessed a valid license during the period between the expiration of the license and the submission of the required documentation and payment of the late fee.

- 4206.10 If an applicant for renewal of a license fails to submit proof of completion of continuing education requirements or pay the late fee within sixty (60) days after the expiration of the applicant's license, the license shall be considered to have lapsed on the date of expiration.
- 4206.11 The Board may, in its discretion, grant an extension of the sixty (60) day period to renew after expiration if the applicant's failure to submit proof of completion was for good cause. As used in this section, "good cause" includes the following:
- (a) Serious and protracted illness of the applicant; and
 - (b) The death or serious and protracted illness of a member of the applicant's immediate family.

SOURCE: Final Rulemaking published at 35 DCR 927, 929 (February 12, 1988).

4207 APPROVED CONTINUING EDUCATION PROGRAMS AND ACTIVITIES

- 4207.1 The Board, in its discretion, may approve continuing education programs and activities that contribute to the growth of an applicant in professional competence in the practice of dentistry and which meet the other requirements of this section.
- 4207.2 The Board may approve the following types of continuing education programs, if the program meets the requirements of §4207.3:
- (a) An undergraduate or graduate course given at an accredited college or university;
 - (b) A seminar or workshop;
 - (c) An educational program given at a conference; and
 - (d) In-service training.
- 4207.3 To qualify for approval by the Board, a continuing education program shall do the following:
- (a) Be current in its subject matter;
 - (b) Be developed and taught by qualified individuals; and
 - (c) Meet one of the following requirements:
 - (1) Be administered or approved by a recognized national, state, or local dentistry organization; health care organization; accredited health care facility; or an accredited college or university; or
 - (2) Be submitted by the program sponsors to the Board for review no less than sixty (60) days prior to the date of the presentation and be approved by the Board.
- 4207.4 The Board may issue and update a list of approved continuing education programs.

- 4207.5 An applicant shall have the burden of verifying whether a program is approved by the Board pursuant to this section prior to attending the program.
- 4207.6 The Board may approve the following continuing education activities by an applicant:
- (a) Serving as an instructor or speaker at a conference, seminar, workshop, or in-service training;
 - (b) Publication of an article in a professional journal or publication of a book or a chapter in a book or publication of a book review in a professional journal or bulletin;
 - (c) Serving as a clinical instructor for students of dentistry; and
 - (d) Participation in research as a principal investigator or research assistant.

SOURCE: Final Rulemaking published at 35 DCR 927, 931 (February 12, 1988).

4208 CONTINUING EDUCATION CREDITS

- 4208.1 The Board may grant continuing education credit for whole hours only, with a minimum of fifty (50) minutes constituting one (1) credit hour.
- 4208.2 For approved undergraduate or graduate courses, each semester hour of credit shall constitute fifteen (15) hours of continuing education credit, and each quarter hour of credit shall constitute ten (10) hours of continuing education credit.
- 4208.3 The Board may grant a maximum of ten (10) continuing education credits per year to an applicant who attends in-service education programs.
- 4208.4 The Board may grant credit to an applicant who serves as an instructor or speaker at an acceptable program for both preparation and presentation time, subject to the following restrictions:
- (a) The maximum amount of credit which may be granted for preparation time is twice the amount of the associated presentation time;
 - (b) The maximum amount of credit which may be granted pursuant to this subsection is fifty percent (50%) of an applicant's continuing education requirement; and
 - (c) The presentation shall have been completed during the period for which credit is claimed.
- 4208.5 The Board may grant an applicant who is an author or editor of a published book twenty-five (25) continuing education credits, if the book has been published or accepted for publication during the period for which credit is claimed, and the applicant submits proof of this fact in the application.
- 4208.6 The Board may grant an applicant who is an author of a published original paper five (5) continuing education credits, subject to the same restrictions set forth for books in §4208.5.

- 4208.7 The Board may grant an applicant who is the sole author of a published book review, review paper, or abstract, two (2) continuing education credits, subject to the same restrictions set forth for books in §4208.5.

SOURCE: Final Rulemaking published at 35 DCR 927, 933 (February 12, 1988).

4209 LICENSE BY RECIPROCITY

- 4209.1 In addition to the requirements of §4014 of chapter 40 of this title, an applicant for a license by reciprocity shall prove to the satisfaction of the Board that the applicant is actively engaged in the practice of dentistry in the jurisdiction upon which the application is based.

SOURCE: Final Rulemaking published at 35 DCR 927, 934 (February 12, 1988).

4210 - 4211 [RESERVED]

4212 REQUIREMENTS FOR ADMINISTRATION OF ANESTHESIA

- 4212.1 To be qualified to administer general anesthesia, a dentist shall do the following:

- (a) Have had a minimum of one (1) year of training in anesthesiology beyond the undergraduate dental school level or its equivalent, sponsored by an accredited hospital or an institution recognized by the Commission on Dental Accreditation of the ADA; or
- (b) Have been certified, or be eligible to take the examination for certification as a fellow in general anesthesia of the American Society of Dental Anesthesiologists according to the standards as of January 1, 1982.

- 4212.2 To be qualified to administer intravenous sedation, a dentist shall have successfully completed a course with a minimum of sixty (60) clock hours of instruction beyond the undergraduate dental school level sponsored by an accredited hospital or institution recognized by the Commission on Dental Accreditation of the ADA.

- 4212.3 To be qualified to administer nitrous oxide alone or nitrous oxide in combination with a single oral drug, a dentist shall have successfully completed a course containing a minimum of forty (40) hours of either undergraduate dental school or post graduate instruction. The instruction shall include actual experience with the administration of nitrous oxide.

SOURCE: Final Rulemaking published at 35 DCR 927, 934 (February 12, 1988).

4213 STANDARDS OF CONDUCT

- 4213.1 A dentist shall not accept or perform professional responsibilities which the dentist knows or has reason to know that the dentist is not competent to perform.

4213.2 A dentist shall not abandon or neglect a patient under and in need of immediate professional care, without making reasonable recommendations for the continuation of such care.

4213.3 A dentist shall not willfully harass, abuse, or intimidate a patient either physically or verbally.

SOURCE: Final Rulemaking published at 35 DCR 927, 934 (February 12, 1988).

4214 SUPERVISION OF DENTAL HYGIENISTS

4214.1 Except as provided by §4214.2, a dentist shall not supervise more than two (2) dental hygienists at the same time.

4214.2 Pursuant to §201(f) of the Act, D.C. Code §2-3301.2(f) (1987 Supp.), the limitation under this section shall not apply to the following:

- (a) A dentist who is an employee of, or operating pursuant to a contract with, the District or federal government and who is supervising dental hygienists in the scope of the dentist's employment or pursuant to the contract; or
- (b) A dentist who is supervising dental hygienists who are employed by, or operating pursuant to a contract with, the District or federal government.

SOURCE: Final Rulemaking published at 35 DCR 927, 935 (February 12, 1988).

4299 DEFINITIONS

4299.1 As used in this chapter, the following terms have the meaning ascribed:

Applicant - a person applying for a license to practice dentistry under this chapter.

Board - the Board of Dentistry, established by §201 of the Act, D.C. Code §2-3302.1 (1987 Supp.).

Dental hygienist - a person licensed to practice dental hygiene under the Act.

Dentist - a person licensed to practice dentistry under the Act.

4299.2 The definition in §4099 of chapter 40 of this title are incorporated by reference into and are applicable to this chapter.

SOURCE: Final Rulemaking published at 35 DCR 927, 935 (February 12, 1988).